

RESCIND**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION****NOTICE OF PUBLIC HEARING**

Posting Date: April 24, 2009

Petition Date: June 8, 2009

Hearing Date: June 22, 2009

License No.: ABRA-081776

Licensee: Paragon Entertainment, Inc.

Trade Name: Layla Lounge

License Class: Retail Class "C" Tavern

Address: 501 Morse Street, NE

Contact: Anthony McDaniel 202-528-2108

WARD5

ANC 5B

SMD 5B06

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 7th Floor, Suite 7200, 941 North Capitol Street, NE, Washington, DC 20002. Petition and/or request to appear before the Board must be filed on or before the petition date.

NATURE OF OPERATION

New Tavern serving Mediterranean and American cuisine. Entertainment consists of DJ playing recorded music, no live music. Dancing on the 1st and 2nd floors and cover charge. Occupancy load of 319.

HOURS OF OPERATION

Sunday – Saturday 24 hours

HOURS OF ALCOHOLIC BEVERAGES SALES

Sunday 10 am – 2 am; Monday thru Thursday 8 am – 2 am;

Friday and Saturday 8 am – 3am

HOURS OF ENTERTAINMENT

Sunday – Wednesday 6 pm – 2 am; Thursday 6 pm – 3 am;

Friday and Saturday 6 pm - 4 am

RESCIND

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of the license. Hearings will begin at 10:00 am at 941 North Capitol Street, NE, 7th Floor, Room 7200, Hearing Room, 202-442-4423

RENEWAL NOTICES

POSTING DATE	4/24/2009
PETITION DATE	6/8/2009
HEARING DATE	6/22/2009

THE FOLLOWING ESTABLISHMENTS ARE RENEWING THEIR ABC LICENSES:

License #ABRA-079335

ANC 6C05

Class Retailer A

Selam, Inc.

Kelly's Liquor

415 H STREET NE

No V/A

Endorsement:

	<u>Hours of Operation</u>	<u>Hours of Sales</u>
MON	9 am to 9 pm	9 am to 9 pm
TUE	9 am to 9 pm	9 am to 9 pm
WED	9 am to 9 pm	9 am to 9 pm
THU	9 am to 9 pm	9 am to 9 pm
FRI	9 am to 9 pm	9 am to 9 pm
SAT	9 am to 9 pm	9 am to 9 pm
SUN		

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**NOTICE OF PUBLIC HEARING**

Posting Date: May 1, 2009
Petition Date: June 15, 2009
Hearing Date: June 29, 2009

License No.: ABRA-081793
Licensee: The New Brookland Café, LLC
Trade Name: Brookland Cafe
License Class: Retail Class "C" Tavern
Address: 3740 12th Street, NE
Contact: D'maz Lumukanda, 202-438-2127

WARD 5

ANC 5A

SMD 5A06

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the

Hearing date at 10:00 am, 7th Floor, Suite 7200, 941 North Capitol Street, NE, Washington, DC 20002. Petition and/or request to appear before the Board must be filed on or before the petition date.

NATURE OF OPERATION

New Tavern with light fare, American cuisine, recorded and live music, TV, Internet, and cover charge. Occupancy Load is 30.

HOURS OF OPERATION

Sunday through Thursday, 7 am – 2 am; Friday and Saturday, 7 am – 3 am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Thursday, 10 am – 1:30 am; Friday and Saturday, 10 am - 2:30 am

HOURS OF LIVE ENTERTAINMENT

Sunday through Thursday, 10 am – 1 am; Friday and Saturday, 10 am – 2 am

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD**NOTICE OF PUBLIC HEARING****Arts and Technology Academy (ATA) Public Charter School**

The District of Columbia Public Charter School Board invites the public to participate in a public hearing on charter amendment requests for The Arts and Technology Academy (ATA) Public Charter School. The hearing will be held on Monday, May 18, 2009 from 7:30 – 8:30 PM at the District of Columbia Charter School Board's Conference Room, 3333 14th Street, NW (Columbia Heights Metro-Green Line).

During the public hearing, The Arts and Technology Academy Public Charter School will describe the proposed changes to the existing charter. The Board invites the public's participation in the hearing and asks members of the public to testify on the impact the proposed changes will have on:

1. students, parents, and the community;
2. other public schools in the District of Columbia; and
3. the quality of education in the city.

Individuals who wish to testify should call the Board's office at (202) 328-2660 by 3:00 PM on the day of the hearing to be placed on the hearing schedule and should send, by May 29, 2009, a written copy of their testimony to the District of Columbia Public Charter School Board, 3333 14th St., Suite 210, NW, Washington, DC 20010.

Sign and/or Spanish language interpretation will be available upon request. Members of the public needing these services are requested to contact the Board no later than May 11, 2009 so that arrangements can be made.

**DEPARTMENT OF HEALTH
STATE HEALTH PLANNING AND DEVELOPMENT AGENCY**

NOTICE OF PUBLIC HEARING

**Certificate of Need Registration No. 09-8-2,
Application by Specialty Hospital of Washington, LLC**

Pursuant to D.C. Official Code § 44-406(b)(4), the District of Columbia State Health Planning and Development Agency ("SHPDA") will hold an information hearing on Certificate of Need Registration No. 09-8-2, an application by Specialty Hospital of Washington, LLC (d/b/a Specialty Hospital of Washington - Capitol Hill) to acquire Specialty Hospital of Washington-Greater Southeast Holdings, LLC Long Term Acute Care Hospital.

The hearing will be held on **Friday, May 15, 2009** at 11:00 a.m., at 825 North Capitol Street, N.E., 4th Floor, Room 4131, Washington, D.C. 20002.

Persons who wish to testify should contact the SHPDA on (202) 442-5875 before 4:45 p.m. on Thursday, May 14, 2009. Each member of the public who wishes to testify will be allowed a maximum of five (5) minutes. Written statements may be submitted to:

The State Health Planning and Development Agency
825 North Capitol Street, N.E.
Third Floor
Washington, D.C. 20002

Written statements must be received before the record closes on Friday, May 22, 2009. Persons who would like to review the Certificate of Need application or who have questions relative to the hearing may contact the SHPDA on (202) 442-5875.

DISTRICT OF COLUMBIA OFFICE OF PLANNING**NOTICE OF AVAILABILITY OF THE FLORIDA AVENUE MARKET
SMALL AREA PLAN FOR PUBLIC COMMENT
AND CONVENING OF A PUBLIC HEARING**

ACTION: Notice of Availability of the Florida Avenue Small Area Draft Plan for Public Comment and Convening of a Public Hearing.

SUMMARY: The Office of Planning, working with its consultant team, began creating the Florida Avenue Market Small Area Plan (Plan) in the spring of 2007. The purpose of this study was to evaluate the existing infrastructure, the economic vitality, and the historic significance of the market area in order to prepare a Small Area Plan. The Plan provides a framework for the strategic redevelopment of the Florida Avenue Market (Study Area), which is located in Ward 5 adjacent to the neighborhoods of Trinidad, NoMA, and Near Northeast. The vision is to transform the Study Area into a vibrant, mixed-use neighborhood that protects the look and feel of the historic retail markets, while also providing a basis for new development and rehabilitation. The Plan will be used to guide and evaluate future development proposals for the Study Area.

The Office of Planning (DCOP) has published for public review and comment a draft Florida Avenue Market Small Area Plan. The Plan presents an analysis of various redevelopment opportunities within the study area. DCOP emphasizes that the findings, conclusions and development scenarios in the draft Plan are conceptual. The draft Plan conveys a shared vision for the Study Area, records the Guiding Principles that were developed through the community-based planning process, provides land use and zoning recommendations and illustrates several conceptual development options. It also includes an implementation strategy with recommendations to achieve the specific goals of the plan. The plan provides residents, land owners, developers, city officials and District agencies with a framework to guide future development in the Study Area. Ultimately, the Plan requires review, consideration and, as appropriate, adoption by the District of Columbia City Council. If adopted, the project would require action by a number of DC agencies, as well as the non-governmental and private sectors.

DCOP is providing a 30-day public comment period on the draft Plan. Comments can be submitted to DCOP between April 17, 2009 and May 18, 2009. Information on how to submit comments is set forth below.

The DCOP, working in collaboration with the cooperating agencies, will consider all public comments on the draft Plan and make its final recommendations to the Mayor of the District of Columbia. Subsequently, the Mayor will submit an approval resolution and, a Revised Plan to the District of Columbia Council for consideration. The Council will provide additional opportunities for public comment, and will make its final decision regarding the approval of the Small Area Plan. The Mayor, through the cooperating agencies, will implement the plan.

FOR FURTHER INFORMATION CONTACT:

Deborah Crain, Neighborhood Planning Coordinator-Ward 5, DC Office of Planning
2000 14th Street, NW Washington, DC 20009 Phone: (202) 442-7600; Facsimile: (202)
442-7638; Email: Deborah.Crain@dc.gov

Melissa Bird, Neighborhood Planning Coordinator-Ward 6, DC Office of Planning 2000
14th Street, NW Washington, DC 20009 Phone: (202) 442-7600; Facsimile: (202) 442-
7638; Email: Melissa.Bird@dc.gov

SUPPLEMENTARY INFORMATION:

Public Availability: The DC Office of Planning has distributed the Draft Plan to several public entities, including the impacted Advisory Neighborhood Commissions 5B and 6C and asked that the entire Draft Plan be made available for the public to review. The Draft Plan is also available for public review at:

Joseph H. Cole Recreation Center* 1200 Morse Street. NE Washington, DC 20002	Robert L Christian Library: 1300 H Street., NE Washington, DC 20002
Gallaudet University Library* 800 Florida Avenue, NE, Washington, DC 20002	Martin Luther King Jr. Library: 901 G Street, NW Washington, DC 20001
Office of Planning* 2000 14 th St. NW., 4 TH Floor Washington, DC 20009	Trinidad Recreation Center* 1310 Childress St., NE Washington, DC 20002

*Corrected locations from previous public notice published on April 24, 2009

The draft plan is also available online at the DC Office Planning Web site:
www.planning.dc.gov under the Neighborhood and Revitalization Plans page.

Public Comment: Written comments on the Draft Plan can be submitted by US Mail, Fax, or Email. All comments must be received by 5:00pm on May 18, 2009 to be considered. Comments must include the name, address and any organization for which the comments represent. Please send all comments to:

Melissa Bird
Neighborhood Planning Coordinators -Ward 6
DC Office of Planning
2000 14th Street, NW
Washington, DC 20009
Phone: (202) 442-7600
Facsimile: (202) 442-7638
Email: Melissa.Bird@dc.gov

Mayoral Hearing: In addition to receiving written comments on the draft Plan, DC Office of Planning will host a Mayoral Hearing on May 18, 2009 from 6:30-8:30pm to receive oral testimony on the draft Plan. The hearing will be held at Gallaudet University, Merrill Learning Center Bldg, (library), Room LCB 1111.

Parties interested in providing testimony at the Mayoral Hearing are encouraged to register in advance with Melissa Bird or Deborah Crain at the Office of Planning. At the hearing, persons will be allowed to provide 3-5 minutes of testimony for the record. Those persons who registered in advance will be asked to testify first followed by those who sign up to testify at the time of the hearing.

Submitted by: Deborah Crain, Neighborhood Planning Coordinator-Ward 5, DC Office of Planning 2000 14th Street, NW Washington, DC 20009 Phone: (202) 442-7600; Facsimile: (202) 442-7638; Email: Deborah.Crain@dc.gov

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, JULY 14, 2009
SECOND FLOOR HEARING ROOM, SUITE 220-S
441 4TH STREET, N.W.
WASHINGTON, D.C. 20001**

TO CONSIDER THE FOLLOWING: The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

**9:30 A.M. TO 12:00 P.M. DECISION MEETING
1:00 P.M. TO 6:00 P.M. AFTERNOON HEARING SESSION**

P.M.

WARD SIX

**THIS APPLICATION WAS CONTINUED FROM THE MARCH 10, 2009,
PUBLIC HEARING SESSION:**

17885 **Application of 1101 South Capitol LLC**, pursuant to 11 DCMR §§
ANC-6D 3103.2 and 3104.1, for a variance from the court width requirements under
section 776, and a special exception to allow a waiver of the rear yard
requirements under subsection 774.2, to allow the construction of a new
office building in the C-3-C District at premises 1101 South Capitol
Street, S.W. (Square 649, Lot 47).

WARD SIX

17943 **Application of Charles and Susan Parsons**, pursuant to 11 DCMR §
ANC-6B 3103.2, for a variance from the alley width requirements under subsection
2507.2, to convert the second floor of an existing alley structure into an
apartment unit, in the CAP/R-4 District at premises rear 124 D Street, S.E.
(Square 733, Lot 806).

WARD ONE

17942 **Application of Asian American LEAD**, pursuant to 11 DCMR § 3104.1,
ANC-1B for a special exception to allow the continued operation of a community
center under section 209, in the R-4 District, at premises 1323 Girard
Street, N.W. (Square 2855, Lot 828).

PLEASE NOTE:

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board. Failure of an applicant or

BZA PUBLIC HEARING NOTICE

JULY 14, 2009

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appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial.

The public hearing in these cases will be conducted in accordance with the provisions of Chapter 31 of the District of Columbia Municipal Regulations, Title 11, and Zoning. Pursuant to Subsection 3117.4 of the Regulations, the Board will impose time limits on the testimony of all individuals. Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board. Individuals and organizations wishing party status in any case before the Board must request that status and should do so in writing not less than fourteen (14) days prior to the date set for the public hearing on the particular application in accordance with Subsection 3106.2. All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4th Street, NW, Suite 200-S, Washington, D.C. 20001. Please include the case number on all correspondence. FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

**MARC D. LOUD, CHAIRMAN, SHANE L. DETTMAN, VICE CHAIRMAN AND
A MEMBER OF THE ZONING COMMISSION ----- BOARD OF
ZONING ADJUSTMENT, BY CLIFFORD MOY, SECRETARY TO THE BZA
AND RICHARD S. NERO, JR, ACTING DIRECTOR, OFFICE OF ZONING.**

PHN 7/14/09 rsn

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Thursday, June 25, 2009, @ 6:30 PM**
 Office of Zoning Hearing Room
 441 4th Street, N.W., Suite 220-South
 Washington , D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Z.C. Case No. 02-51C (Center for Strategic and International Studies, Inc. – Second-Stage Review of an Approved Planned Unit Development (PUD) at 1616 Rhode Island Avenue, NW (Square 182, Lot 82))

THIS CASE IS OF INTEREST TO ANC 2B

On November 14, 2008, the Office of Zoning received an application from the Center for Strategic and International Studies, Inc. (the “Applicant”) seeking second stage approval for a Planned Unit Development. The Zoning Commission set the case down at its public meeting on January 12, 2009. The Applicant subsequently filed its pre-hearing statement on April 10, 2009.

The property that is the subject of this application is located at 1616 Rhode Island Avenue, NW and is more particularly known as Square 182, Lot 82 (the “Subject Property”). It is the western half of a previously approved first stage PUD. The eastern half has already been constructed and is used for the University of California Washington Program. A PUD-related map amendment to the C-4 Zone District has been approved for the Subject Property.

The Subject Property is located in the Dupont Circle neighborhood of Ward 2 and has an approximate land area of 15,349 square feet. The Applicant proposes the construction of an office building consisting of approximately 113,500 square feet. The building will have a maximum height of 112 feet at the northeastern corner of the building; however, the majority of the building will have a maximum height of 104 feet. The project will have a lot occupancy of 99.5% and a floor area ratio of approximately 7.4. The project requires flexibility for its proposed access to the parking garage; reducing the number of loading berths, parking spaces and depth of the rear yard; altering the design of the terrace along the eastern wall; providing an architectural embellishment and building height that exceed 104 feet; providing non-conforming roof structures; and increasing the lot occupancy and the grade of the ramps in the garage.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written

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Z.C. CASE NO. 02-51C
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testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than fourteen (14) days prior to the date set for the hearing, a written statement containing the following information:**

- (a) The person's name, address, and daytime telephone number;
- (b) A request to appear and participate as a party;
- (c) Whether the person will appear as a proponent or opponent of the application;
- (d) Whether the person will appear through legal counsel, and if so, the name and address of legal counsel;
- (e) A list of witnesses who will testify on the person's behalf;
- (f) A summary of the testimony of each witness;
- (g) An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts;
- (h) The total amount of time being requested to present their case; and
- (i) A written statement setting forth why the person should be granted party status, including reference to the following:
 - (1) The property owned or occupied by the person, or in which the person has an interest, that will be affected by the action requested of the Commission;
 - (2) The legal interest the person has in said property, such as owner, tenant, trustee, or mortgagee;
 - (3) The distance between the person's property and the property that is the subject of the application before the Commission;

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Z.C. CASE NO. 02-51C
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- (4) The economic, social, or other impacts likely to affect the person and/or the person's property if the action requested of the Commission is approved or denied; and
- (5) An explanation of how the person's interest as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

The Applicant shall also provide the information indicated in (e) through (h) to the extent that the information is not contained in the Applicant's prehearing submission as required by 11 DCMR § 3013.1.

If an affected Advisory Neighborhood Commission (ANC) intends to participate at the hearing, the ANC shall submit the written report described in § 3012.5 no later than seven (7) days before the date of the hearing. The report shall also contain the information indicated in (e) through (h) above.

Time limits.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, GREGORY N. JEFFRIES, WILLIAM W. KEATING, III, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY RICHARD S. NERO, JR., ACTING DIRECTOR, AND BY SHARON SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Thursday, June 18, 2009, @ 6:30 p.m. (Case No. 1)**
 Office of Zoning Hearing Room
 441 4th Street, N.W., Suite 220-South
 Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 09-07 (Map amendment – 2269 Cathedral Avenue, N.W.)

THIS CASE IS OF INTEREST TO ANC 3C

On April 10, 2009, the Office of Zoning received an application from Scott and Kristen Franklin requesting review and approval of a proposed zoning map amendment from unzoned to R-5-D for Lot 803 in Square 2210, known as 2269 Cathedral Avenue, N.W. The Office of Planning provided its report on April 17, 2009, in which it recommended that the Commission also consider, in the alternative, R-4 zoning for the property.

At its public meeting held on April 27, 2009, the Zoning Commission determined to consider the application as a petition to the Commission to designate zoning for the property through its rulemaking procedures. The Commission further determined to consider designating the property in the R-5-D Zone District or, in the alternative, the R-4 Zone District.

The property that is the subject of this case consists of approximately 5,822 square feet of land area and is located on the north side of Cathedral Avenue, N.W., east of Connecticut Avenue, adjacent to the property of the National Zoo. The subject property is improved with a single family dwelling originally constructed in 1909. Although the property has been continuously in private ownership since the house was built, the Office of Zoning has determined and certified that the property is currently unzoned..

The specific amendment to the Zoning Map under consideration would change the zone district classification from unzoned to the R-5-D Zone District or, in the alternative, the R-4 Zone District.

The R-5-D Zone District permits matter-of-right high density development of general residential uses, including single family dwellings, flats and apartment buildings, to a maximum lot occupancy of 75%, a maximum density of 3.5 FAR and a maximum height of 90 feet. Under Chapter 24, the guideline for height in a PUD is 90 feet and the guideline for density in a PUD is 4.5 FAR.

The R-4 Zone District permits detached, semi-detached and row single family dwellings and flats as a matter-of-right, as well as the conversion to multi-family use of a building built prior to 1958. Detached dwellings require a minimum lot area of 4,000 square feet and a minimum lot width of 40 feet, semi-detached dwellings require a minimum lot area of 3,000 square feet and a minimum lot width of 30 feet, row dwellings require a minimum lot area of 1,800 square feet

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and a minimum lot width of 18 feet and conversions to multifamily use requires a minimum lot area of 900 square feet per unit. The maximum permitted height is three stories and 40 feet and the maximum permitted lot occupancy is 60% for row dwellings and flats and 40% for other structures. Each dwelling requires a 20 foot rear yard and a minimum of one parking space.

Proposed amendments to the Zoning Regulations and Map of the District of Columbia are authorized pursuant to the Zoning Act of June 20, 1938. (52 Stat. 797), as amended, D.C. Official Code § 6-641 *et seq.*

The public hearing in this case will be conducted as a rulemaking in accordance with the provisions of § 3021 of the District of Columbia Municipal Regulations, Title 11, Zoning. Pursuant to that section, the Commission will impose time limits on testimony presented to it at the public hearing.

All individuals, organizations, or associations wishing to testify in this case should file in writing their intention to testify. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, GREGORY N. JEFFRIES, WILLIAM W. KEATING, III, PETER G. MAY AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY RICHARD S. NERO, JR., ACTING DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Thursday, June 18, 2009, @ 6:30 PM (Case No. 2)**
 Office of Zoning Hearing Room
 441 4th Street, N.W., Suite 220-South
 Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

**CASE NO. 09-07A (Scott & Kristen Franklin - Special Exception Under 11 DCMR § 223:
2269 Cathedral Avenue, N.W., Square 2210, Lot 803)**

THIS CASE IS OF INTEREST TO ANC 3C

On April 28, 2009, the Office of Zoning received an application from Scott and Kristen Franklin requesting review and approval of an addition to the dwelling on Lot 803 in Square 2210, known as 2269 Cathedral Avenue, N.W. The subject property is presently not included in any zone district classification. At its public meeting held on April 27, 2009, in a separate proceeding, the Zoning Commission determined to consider designating the property in the R-5-D Zone District or, in the alternative, the R-4 Zone District. At that same proceeding, the Commission authorized the Office of Zoning to process an application for a special exception for this property, which the Commission would consider in the event that the Commission determines to designate R-4 zoning for the property.

The property that is the subject of this case consists of approximately 5,822 square feet of land area and is located on the north side of Cathedral Avenue, N.W., east of Connecticut Avenue, adjacent to the property of the National Zoo. The subject property is improved with a single family dwelling originally constructed in 1909. The Applicants propose to construct an addition to the existing dwelling of approximately 225 square feet. The existing dwelling exceeds the maximum permitted percentage of lot occupancy of 40% for a detached or semi-detached dwelling in the R-4 Zone District. The Applicants seek approval of a special exception under § 223 to construct an addition to a one-family dwelling not meeting the lot occupancy provisions (§§ 403.2 and 2001.3).

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

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How to participate as a party.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than fourteen (14) days prior to the date set for the hearing, a written statement containing the following information:**

- (a) The person's name, address, and daytime telephone number;
- (b) A request to appear and participate as a party;
- (c) Whether the person will appear as a proponent or opponent of the application;
- (d) Whether the person will appear through legal counsel, and if so, the name and address of legal counsel;
- (e) A list of witnesses who will testify on the person's behalf;
- (f) A summary of the testimony of each witness;
- (g) An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts;
- (h) The total amount of time being requested to present their case; and
- (i) A written statement setting forth why the person should be granted party status, including reference to the following:
 - (1) The property owned or occupied by the person, or in which the person has an interest, that will be affected by the action requested of the Commission;
 - (2) The legal interest the person has in said property, such as owner, tenant, trustee, or mortgagee;
 - (3) The distance between the person's property and the property that is the subject of the application before the Commission;
 - (4) The economic, social, or other impacts likely to affect the person and/or the person's property if the action requested of the Commission is approved or denied; and
 - (5) An explanation of how the person's interest as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

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The Applicants shall also provide the information indicated in (e) through (h) to the extent that the information is not contained in the Applicants' prehearing submission as required by 11 DCMR § 3013.1. The information shall be filed no later than fourteen (14) days before the date of the hearing.

If an affected Advisory Neighborhood Commission (ANC) intends to participate at the hearing, the ANC shall submit the written report described in § 3012.5 no later than seven (7) days before the date of the hearing. The report shall also contain the information indicated in (e) through (h) above.

Time limits.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, GREGORY N. JEFFRIES, WILLIAM W. KEATING, III, PETER G. MAY AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY RICHARD S. NERO, JR., ACTING DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.